

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

DAVID G. RAY, Individually and on behalf  
of all others similarly situated; GABRIEL  
D'SOUZA, VALENTINO GROUP,

Plaintiffs,

v.

GILBERT G. LUNDSTROM, MICHAEL J.  
FALBO, TIERONE CORPORATION,  
EUGENE B. WITKOWICZ, CHARLES W.  
HOSKINS, JAMES A. LAPHEN,

Defendants.

**8:10CV199**

**ORDER**

---

DOUGLAS L. STEJSKAL,

Plaintiff,

v.

GILBERT G. LUNDSTROM,

Defendant.

**4:10CV3177**

---

DOUGLAS L. STEJSKAL,

Plaintiff,

v.

JAMES A. LAPHEN,

Defendant.

**8:10CV332**

This matter is before the court on its own motion. These are consolidated cases for violations of federal securities laws. The court is in receipt of a letter request that the court forego consideration of the pending unopposed motion for preliminary approval of a class settlement (Filing No. 97) for 10 days. In the letter, counsel for defendant Hoskins represents that the parties anticipate filing a revised motion by the end of the week. The court construes the letter as an indication that the parties withdraw the pending motion. Accordingly,

IT IS ORDERED

1. The pending motion for preliminary approval of class settlement is denied as moot.

2. The parties shall file a revised motion for preliminary approval of class settlement within 10 days from the date of this order.

DATED this 16th day of May, 2012.

BY THE COURT:

s/ Joseph F. Bataillon  
United States District Judge